

## **IC 12-23-18**

### **Chapter 18. Methadone Diversion Control and Oversight Program**

## **IC 12-23-18-1**

### **Rules**

Sec. 1. (a) Subject to federal law and consistent with standard medical practice in methadone treatment of drug abuse, the division shall adopt rules under IC 4-22-2 to establish and administer a methadone diversion control and oversight program to identify individuals who divert controlled substances from legitimate treatment use and to terminate the methadone treatment of those individuals.

(b) Rules adopted under subsection (a) must include provisions relating to the following matters concerning methadone providers and individuals who receive treatment:

- (1) Regular clinic attendance by the patient.
- (2) Specific counseling requirements for the methadone provider.
- (3) Serious behavior problems of the patient.
- (4) Stable home environment of the patient.
- (5) Safe storage capacity of treatment medications within the patient's home.
- (6) Medically recognized testing protocols to determine legitimate treatment use.
- (7) The methadone provider's medical director and administrative staff responsibilities for preparing and implementing a diversion control plan.

*As added by P.L.11-2003, SEC.2.*

## **IC 12-23-18-2**

### **Diversion control**

Sec. 2. (a) Not later than February 28 of each year, each methadone provider must submit to the division a diversion control plan required under section 1(b)(7) of this chapter.

(b) Not later than May 1 of each year, the division shall review and approve plans submitted under subsection (a).

(c) If the division denies a plan submitted under subsection (a), the methadone provider must submit another plan not later than sixty (60) days after the denial of the plan.

*As added by P.L.11-2003, SEC.2.*

## **IC 12-23-18-3**

### **Methadone provider fee**

Sec. 3. (a) By May 15 of each year, each methadone provider shall submit to the division a fee of twenty dollars (\$20) for each nonresident patient treated by the methadone provider during the preceding calendar year.

(b) The fee collected under subsection (a) shall be deposited in the methadone diversion control and oversight program fund established under section 4 of this chapter.

*As added by P.L.11-2003, SEC.2.*

#### **IC 12-23-18-4**

##### **"Fund"**

Sec. 4. (a) As used in this section, "fund" means the methadone diversion control and oversight program fund established under subsection (b).

(b) The methadone diversion control and oversight program fund is established to administer and carry out the purposes of this chapter. The fund shall be administered by the division.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The treasurer of state shall invest money in the fund in the same manner as other public money may be invested.

(e) Money in the fund at the end of the state fiscal year does not revert to the state general fund.

*As added by P.L.11-2003, SEC.2.*

#### **IC 12-23-18-5**

##### **Annual onsite visit**

Sec. 5. The division shall conduct an annual onsite visit of each methadone provider to assess compliance with the plan approved under this chapter.

*As added by P.L.11-2003, SEC.2.*

#### **IC 12-23-18-6**

##### **Expiration**

Sec. 6. This chapter expires June 30, 2008.

*As added by P.L.11-2003, SEC.2.*